

Rec'd PGT/PTO 14 DEC 2005

#4

Attorney Docket No.: 022354-000310US
Client Ref. No.:

PTO/SB/01A (09-04)

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of
Invention

COMPOSITIONS AND METHODS FOR THE PREVENTION AND CONTROL OF INSULIN-INDUCED HYPOGLYCEMIA

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. 10/540,803, filed on June 23, 2005,
☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: Daniel T. Green

Date: 12/8/2005

Signature: *Daniel T. Green*

Citizen of: United States

Inventor two: Robert R. Henry

Date: 12/12/2005

Signature: *Robert R. Henry*

Citizen of: United States

Inventor three: _____

Date: _____

Signature: _____

Citizen of: _____

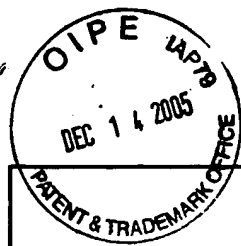
Inventor four: _____

Date: _____

Signature: _____

Citizen of: _____

☐ Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.



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PTO/SB/81 (04-05)

**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	10/540,803
Filing Date	June 23, 2005
First Named Inventor	Green, Daniel T.
Title	COMPOSITIONS AND METHODS FOR THE PREVENTION AND CONTROL OF INSULIN-INDUCED HYPOGLYCEMIA
Art Unit	Not yet assigned
Examiner Name	Not yet assigned
Attorney Docket Number	022354-000310US

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☒ Practitioners associated with the Customer Number:

20350

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

☐ Firm or
Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the:

☒ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Signature

Date

12/8/2005

Name

Daniel T. Green

Telephone

415 551-4114

Title and Company

President, DiObex, Inc.

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.



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PTO/SB/96 (09-04)

Attorney Docket No. 022354-000310US

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Daniel GREEN et al.

Application No./Patent No.: 10/540,803 Filed/Issue Date: June 23, 2005

Entitled: COMPOSITIONS AND METHODS FOR THE PREVENTION AND CONTROL OF INSULIN-INDUCED HYPOGLYCEMIA

DiObex, Inc., a Delaware Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To : _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To : _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To : _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Daniel T. Green
Signature

Daniel T. Green
Printed or Typed Name

President
Title

12/8/2005
Date

415 551-4114
Telephone Number

Attorney Docket No.: 022354-000310US

ASSIGNMENT OF PATENT APPLICATION

WHEREAS, Daniel T. Green of 600 Townsend Street Suite 271, San Francisco, CA 94103; and Robert R. Henry of 600 Townsend Street, Suite 271, San Francisco, CA 94103, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: COMPOSITIONS AND METHODS FOR THE
PREVENTION AND CONTROL OF INSULIN-
INDUCED HYPOGLYCEMIA

Filing Date: June 23, 2005

Application No.: 10/540,803; and

WHEREAS, DiObex, Inc., a corporation of the state of Delaware, located at 600 Townsend Street, Suite 271, San Francisco, CA 94103, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignment
Attorney Docket No.: 022354-000310US
Application No.: 10/540,803

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.


Dated: 12/8/2005

SIGNATURE WITNESSED BY:

Dated: 12/8/2005



Daniel T. Green



Signature of Witness


T. A. Stewart

Printed Name

Dated: 12/12/2005

SIGNATURE WITNESSED BY:

Dated: 12/12/05



Robert R. Henry



Signature of Witness

BRUCE CARLSON

Printed Name

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